

Remarks/Arguments

In the Office Action mailed August 22, 2006, claims 1-40 were correctly noted by the Examiner to be incorrectly labeled “withdrawn.” The Applicant has cancelled the claims and labeled the cancelled claims accordingly.

Further, the Office Action noted that there is a typographical error claiming priority to 60/220,601. The correct application should have been 60/229,601. The Applicant is submitting an Application Data Sheet correcting the error, and has amended the specification to correct the error as well. Accordingly, the Applicant submits that the error in the priority claim should be corrected.

Finally, the Office Action rejected claims 41-48 as purportedly being anticipated under 35 U.S.C. § 102(b) by Grise (U.S. Pat. No. 4,884,865). By this Response, the Applicant has amended independent claim 41 to include an infill interspersed between the synthetic turf fibers. The Applicant submits that Grise does not disclose, *inter alia*, a synthetic turf having an infill interspersed between the synthetic turf fibers. Since Grise does not disclose or teach all of the claimed limitations, the Applicant submits that Grise cannot anticipate the claims.

Moreover, the Applicant submits the present invention is not an obvious modification of Grise. One of ordinary skill would not modify the device of Grise to be utilized with a synthetic turf system with a granular infill material. It is clear that the device of Grise penetrates the backing of the carpet material. *See, e.g.*, Abstract. In fact, Grise teaches that sometimes holes must be cut into the backing of the carpet material. *See, e.g.*, Abstract. If one of ordinary skill in the art utilized the device of Grise with a synthetic turf system, holes would have to be cut into the backing of the artificial turf. These holes would have to be large enough to allow the fiber optic bundles to pass through. Normally, an artificial turf backing has small perforations in it

which allow for the drainage of water, or is constructed from a material which is permeable to water. However, such perforations or permeability means are relatively small. Accordingly, if the device of Grise was modified to be used with a synthetic turf system utilizing granular infill, the infill would be lost through the holes cut into the backing to accommodate the fiber optic bundles. Furthermore, the structure of Grise would likewise decrease the surface area available for such drainage. Indeed, it is desirable to have a high amount of surface area on the backing so as to increase the drainage rate of water. If one of ordinary skill modified Grise to be used with an artificial turf system, the total surface area available for drainage would be reduced by the fiber optic bundles piercing there through. *See, e.g., Grise*, col. 5 lines 62-63. As such, the drainage rate of the backing material would be reduced. Accordingly, the Applicant respectfully submits that the present invention is not obvious from Grise.

Additionally, since the remaining dependent claims all add further limitations, and the Applicant submits that independent claim 41 is patentable over the prior art of record and in condition for allowance, the Applicant submits that claims 42-48 are patentable over the prior art of record and also in condition for allowance.

CONCLUSION

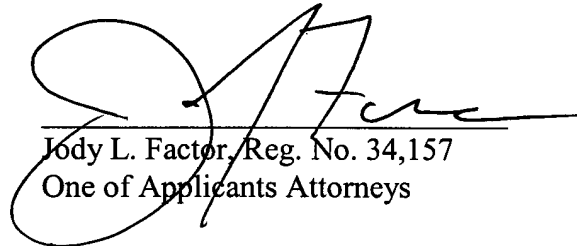
Based upon the above, reconsideration of the rejections and passage to allowance of all pending claims is respectfully requested.

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully solicited.

Respectfully submitted,

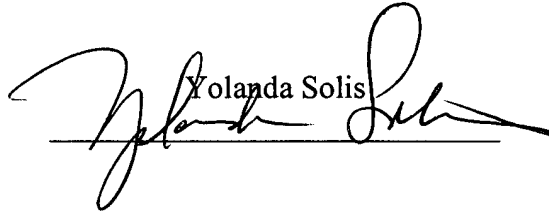
FACTOR & LAKE, LTD.

Dated: January 22, 2007


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One of Applicants Attorneys

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 22, 2007.


Yolanda Solis